

United States District Court

Report Date: ~~FILED IN THE~~ January 26, 2012
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JAN 27 2012

Eastern District of Washington

JAMES R. LARSEN, CLERK

DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Martin Vincente Patino

Case Number: 2:08CR02082-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 6/17/2009

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Probation - 60 Months Type of Supervision: Probation

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: 6/17/2009

Defense Attorney: Rick Lee Hoffman Date Supervision Expires: 6/16/2014

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Patino was charged with shoplifting on October 8, 2011, Yakima Municipal Court cause number H00017020.

According to the Yakima Police Department narrative report, on October 8, 2011, a police officer was dispatched to Wal-Mart at 1600 East Chestnut Avenue, Yakima, Washington, regarding two suspects caught shoplifting and were being uncooperative. The loss prevention officer reported observing the defendant and his girlfriend conceal items in the defendant's girlfriend's purse. They then left the store passing the last point of sale when they were contacted by the loss prevention team. The total value of items taken and recovered was \$34.65.

After their constitutional rights were read, the defendant stated that he did not want his girlfriend to go to jail because their two kids, who where present for the crime, would have to be taken by the state. The defendant stated at first he did not know what his girlfriend was doing, but then acknowledged he knew she was attempting to steal.

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On December 13, 2011, this officer met with Mr. Patino and he reported this alleged shoplifting charge. Mr. Patino advised he did not know his girlfriend was stealing from the store and further stated he would be taking this charge to trial.

According to the Yakima Municipal Court docket, his next court hearing is scheduled for February 28, 2012.

2 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Patino failed to report law enforcement contact within 72 hours of being arrested for shoplifting on October 8, 2011.

On November 22, 2011, Mr. Patino submitted his monthly report form which indicated he was charged with shoplifting on October 8, 2011. This was the first time the probation office was made aware of the charges which is well beyond the 72-hour law enforcement contact report as required.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/26/2012

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

Fred Van Dusen

Signature of Judicial Officer

January 26, 2012

Date